

April 4, 1975

SENATOR LUEDTKE: Otherwise there will be a bond. That is the way it is, if this bill passes.

SENATOR DWORAK: My concern is about creditors to an estate if I in my will that my administrator does not have to have a bond, and he doesn't have a bond, and there aren't creditors that aren't paid because this administrator mis-managed funds and....would these creditors be jeopardized and in a lesser position if this bill was passed than before the passage of this bill?

SENATOR LUEDTKE: No, they are in a better position because this bill makes stronger the bond provisions. This strengthens the bond provisions.

SENATOR DWORAK: Thank you.

SENATOR LUEDTKE: OK.

PRESIDENT: Senator Dickinson.

SENATOR DICKINSON: Question of Senator Luedtke please. Senator Luedtke, there was a lot of discussion on this bill last year, some of that were here certainly remember. Was this not Senator Luedtke one of the selling points? I know that there were volumes of discussions but wasn't this one of the selling points of the new probate code to eliminate some of the details and make it a little more applicable to a lot of people?

SENATOR LUEDTKE: It doesn't change it Senator because...

SENATOR DICKINSON: Doesn't change it from what?

SENATOR LUEDTKE: Doesn't.....it is just the other way around. Now you put it in your will that you don't need a....that you are not going to have a bond. There will be one if you don't put it in. It is a protection for those who do not take the trouble to have a will. It is a protection for the creditors and it is a protection for the.....

SENATOR DICKINSON: The question was....was it not the way it is now, as become effective in 1977, one of the selling points of the bill last year?

SENATOR LUEDTKE: To do away with red tape, and this has nothing to do with that. This has nothing to do with that, this doesn't weaken that argument or weaken the probate code as I have just indicated to you. My personal feeling, and I don't know that all attorneys would share this or all of the state planners but I think that it strengthens.

SENATOR DICKINSON: Well it is a pretty indirect answer, but I accept it Senator Luedtke.

PRESIDENT: Senator Clark.

SENATOR CLARK: I would like to ask Senator Luedtke a question too please. Assume that a man dies, and he leaves all of